

Hope, once crushed, springs again*

PROFESSOR A. D. HOPE, one of Australia's most distinguished literary figures, waged a war against the Taxation Department – and won!

Professor Hope's battle began in 1979 after he sold his private papers to the National Library of Australia for \$15,000.

At the time of the sale, the NLA's Manuscript Librarian, Catherine Santamaria, said that 'the papers are without doubt the most outstanding contemporary literary collection I have seen'.

The sale included all papers then in Professor Hope's possession with reference to his literary work under the heading of business and literary correspondence, manuscripts, typescripts and worksheets of books, articles and broadcasts already published, notes, worksheets and drafts of publications projected or in course of composition – the

latter to be delivered after completion – some biographical material and a set of notebooks kept since 1950 as sources of reference and *aide-memoires*. The sale covered present and future papers within these categories up to the time of his death.

Professor Hope's taxation agents, who are a nation-wide firm of long experience, advised him that the sum received for the papers would come under the head of property, not annual income. However, as the sale had been reported in the press, the agents advised Professor Hope to report it in his income tax returns.

The Taxation Department replied stating that the sum received for the papers was annual income and taxable accordingly. The Department was sympathetic but said they could find no precedent in their records for a sale of papers of this sort being treated as a



Professor A. D. Hope

property transaction rather than a matter of annual income. The taxation agents were unable to find a precedent either.

Professor Hope appealed to the Taxation Department and the appeal was allowed. The sum received from the sale was recognised as the realisation of a capital asset and as such was not taxable.

One of the points raised by the Taxation Department was that since Professor Hope had sold not only present but future papers these might be regarded as potential sources of income.

The sale of future papers was apparently a unique feature of the sale and would not apply to all such sales.

It must surely be in the interests of both authors and libraries alike to seek a general ruling on the taxation aspects of the sale of an author's papers, rather than rely on a single precedent in a possibly exceptional case.

*Sorry, Matthew

LAA HEADQUARTERS TO MOVE

AFTER MANY MONTHS of legal wrangles, the Association is now the owner of an office property in Sydney.

The property is a two-storey, plus basement, building located very near to Central Railway Station, at 473 Elizabeth Street, Surry Hills 2010.

The office will move into its new location on Wednesday, 15 April and Thursday, 16 April. Operation will commence in the new offices after the Easter break on Tuesday, 21 April 1981.

New phone numbers will be advised as soon as they are known. Your co-operation in keeping phone calls to a minimum at the time of the move will be greatly appreciated.

The building is well situated in a redeveloping commercial area and is approximately three minutes walk from Central Station. Total floor area is approximately 2500 sq ft and a paved area at the rear provides on-site parking for four cars.

The offices were previously tenanted by a property developer and are therefore established offices with good quality carpet and fittings. Some minor expenditure will be required on repainting and up-dating of the kitchen and toilet facilities.

The decision to purchase a property and to move out of the present rented accommodation is one which should have substantial long-term benefits for members of the Association. With the current trend in Sydney to central city apartments rather than office development, the cost of both rented and owned office accommodation is increasing rapidly. By owning its own office, the Association is assured of long-term capital gains, rather being caught in the rising rent spiral.

The property was purchased outright by the Association for a total of \$162,000. An amount of \$80,000 was made available from



The new LAA offices

the Voucher Fund, with the permission of the Trustees, and the remaining sum came from accumulated cash funds, which included the funds from the sale of the house in Canberra in 1979. The money advanced from the Voucher Fund is repayable on three months notice.

Annual outgoings for council rates, water rates, electricity, telephone, cleaning and maintenance will total approximately \$5000.

This compares with \$18,600 for the Science Centre for 1980. A rent increase in excess of 10 percent had already been foreshadowed by the Science Centre management.

Any member visiting Sydney and calling at the new offices is assured of the same warm welcome extended in the Science Centre.

Foreign buyer for Angus & Robertson?

OUR OLDEST publishing company, Angus and Robertson, is almost certain to fall into foreign hands.

The company, holder of the copyrights and licences to much of Australia's classic literature, is for sale and publishing sources say that it is unlikely an Australian company could afford it or find it attractive.

The chief executive officer and publisher of Angus and Robertson, Mr Richard Walsh, said there had been a foreign offer for the company, which was founded in 1886.

The owner of Angus and Robertson, the Ipec group of companies under the leadership of Mr Gordon Barton and Mr Greg Farrell, had received two specific offers, and four other possible buyers were 'looking'.

Mr Walsh expects the company will be sold for about \$4 million.

From The Sydney Morning Herald, 28 Jan 1981.